

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHERYL ANN GONZALES,

Defendant.

8:22CR162

ORDER

A telephone status conference was held today. During the telephone conference, defense counsel notified the court that the Defendant is still recovering from surgery, and he needs more time to review Defendant's medical records to determine how to next proceed. Defense counsel moved to continue the telephone status conference. The government did not object. Based on the comments of counsel, the court finds good cause has been shown and the oral motion to continue should be granted. Accordingly,

IT IS ORDERED:

- 1) A telephonic status conference with counsel will be held before the undersigned magistrate judge at 10:00 a.m. on December 18, 2023 to discuss whether the case may be set for a change of plea hearing, whether the case may be set for trial, or if evaluations of Defendant will be necessary before those decisions may be made. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.
- 2) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and on December 18, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 12th day of October, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge